

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EDMIN ALICEA,

13-cv-7073 (JGK) (GWG)

Plaintiff,

-against-

THE CITY OF NEW YORK,
POLICE OFFICER ALEJANDRO RIVAS (TAX 925987),
DETECTIVE RICHARD BABOOLAL (TAX 924906),
POLICE SERGEANT FREDY CRUZ (TAX 915528),
POLICE OFFICER PAUL ARICO (TAX 903358),
POLICE OFFICER TERENCE MCGRATH (TAX 924169),
and POLICE OFFICER BRENDAN REGAN (TAX 904868),

Defendants.

**DECLARATION OF
JAMES SANBORN IN
SUPPORT OF
PLAINTIFF'S
OPPOSITION TO
DEFENDANTS'
PARTIAL MOTION
FOR SUMMARY
JUDGMENT**

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JAMES SANBORN declares as follows:

1. I am an attorney with Reibman & Weiner, counsel for the plaintiff Edmin Alicea in the above action, and submit this declaration in support of plaintiff's opposition to defendants' motion for summary judgment.

2. This declaration attaches documents that are referenced in Plaintiff's Response to Defendants' Statement of Material Facts and Additional Material Facts Pursuant to Local Civil Rule 56.1.

3. Attached hereto as Exhibit A is a true and accurate copy of an excerpt of the deposition transcript of Richard Baboolal dated August 21, 2014.

4. Attached hereto as Exhibit B is a true and accurate copy of an excerpt of the deposition transcript of Lindsay Daniels dated May 19, 2015.

5. Attached hereto as Exhibit C is a true and accurate copy of a print out from

Google Maps of the area at issue in this case.

6. Attached hereto as Exhibit D is a true and accurate copy of the Declaration of Edmin Alicea dated November 5, 2015 (with photograph exhibits).

7. Attached hereto as Exhibit E is a true and accurate copy of the Declaration of Lindsay Daniels dated November 5, 2015 (with photograph exhibits).

8. Attached hereto as Exhibit F is a true and accurate copy of the arraignment transcript of Edmin Alicea dated March 28, 2012.

9. Attached hereto as Exhibit G is a true and accurate copy of the section of the NYPD Patrol Guide entitled "Prisoners Requiring Medical/Psychiatric Treatment."

10. The photographs attached to Exhibits D and E were obtained from public online posts. Upon information and belief, defendant Alejandro Rivas is depicted in photograph exhibits 1 and 2, defendant Brendan Regan is depicted in photograph exhibits 3 and 4, and defendant Paul Arico is depicted in photograph exhibits 5 and 6.

Dated: Brooklyn, New York
November 6, 2015

/s/
James Sanborn (JS-4011)
Reibman & Weiner
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